

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case no. 08-12613

v.

HONORABLE JOHN CORBETT O'MEARA

DARRYL NEWBY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the court on Magistrate Judge R. Steven Whalen's February 19, 2009, Report and Recommendation. No objections have been filed. The court being fully advised in the premises;

IT IS HEREBY ORDERED that the report and recommendation is ADOPTED and entered as the findings and conclusions of this court.

IT IS FURTHER ORDERED that plaintiff's August 26, 2008, motion for summary judgment is GRANTED.

s/John Corbett O'Meara  
United States District Judge

Date: March 13, 2009

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, March 14, 2009, by electronic and ordinary mail.

s/William Barkholz  
Case Manager